

FILED

AUG 18 2004

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

LARRY W. PROPPS, CLERK
CHARLESTON, SC

Jose Padilla,

Petitioner,

-versus-

Commander C. T. Hanft, USN

Commander, Consolidated Naval

Brig,

Respondent.

C. A. No. 2:04-2221-26AJ

O R D E R

ENTERED

8/18/04

This matter is before the court on the petitioner's request to expedite proceedings and to schedule substantive hearings for a time not later than ten (10) days after petitioner's reply to the respondent's return. (Docket Entry No. 17). The basis for the motion is that this case is of national importance and that the petitioner has been in custody for two (2) years while his attorneys litigated in the wrong jurisdiction. The Respondent opposes the motion. (Docket Entry No. 20).

This is indeed an important case, and important cases need to be handled deliberately and in a procedurally appropriate manner. That is not to say slowly, but neither does that mean hurriedly.

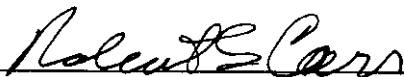
The parties have had over two (2) years to spend on this case, and they understandably are eager for a hearing in a court which actually has subject matter jurisdiction. However, this action has been pending in this court only for forty-five (45) days, and this court has not had the benefit of two (2) years of study, briefs, and arguments as the parties have. This court

will not be rushed to judgment.

Nevertheless, justice in this court will not be delayed. This matter will be handled deliberately, justly for both parties and expeditiously without the necessity of multiple motions to expedite the proceedings. A scheduling conference will be held in due course following the joinder of issues.

To the extent this motion (Docket Entry No. 17) asks for oral arguments to be scheduled on a date not more than ten (10) days after petitioner files a reply to the respondent's return, it is **denied**.

IT IS SO ORDERED.



ROBERT S. CARR
UNITED STATES MAGISTRATE JUDGE

Charleston, South Carolina

August 18, 2004